



114TH CONGRESS  
1ST SESSION

**S.** 1226

To amend the Mineral Leasing Act and the Mineral Leasing Act for Acquired Lands to promote a greater domestic helium supply, to establish a Federal helium leasing program for public land, and to secure a helium supply for national defense and Federal researchers, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Mineral Leasing Act and the Mineral Leasing Act for Acquired Lands to promote a greater domestic helium supply, to establish a Federal helium leasing program for public land, and to secure a helium supply for national defense and Federal researchers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Helium Pro-  
5 duction Act of 2015”.

1 **SEC. 2. CREATION OF A HELIUM-LEASING PROGRAM.**

2 (a) ADDITION OF HELIUM TO LAND SUBJECT TO  
3 DISPOSITION; REPEAL OF RESERVATION OF HELIUM  
4 RIGHTS.—The first section of the Mineral Leasing Act  
5 (30 U.S.C. 181) is amended—

6 (1) in the first sentence, by inserting “helium  
7 or other” before “gas” each place it appears; and

8 (2) by striking the flush text that follows the  
9 last undesignated subsection.

10 (b) CREATION OF PROGRAM.—The Mineral Leasing  
11 Act is amended by inserting after section 37 (30 U.S.C.  
12 193) the following:

13 **“SEC. 38. HELIUM LEASING PROGRAM.**

14 “(a) IN GENERAL.—Except as otherwise provided in  
15 this section, the Secretary of the Interior may conduct a  
16 program of leasing Federal land for helium exploration,  
17 development, and production, in substantially the same  
18 manner, and under substantially the same terms and con-  
19 ditions, as the Secretary of the Interior is authorized to  
20 lease Federal land for oil and gas exploration, develop-  
21 ment, and production under this Act.

22 “(b) RIGHTS TO HELIUM.—Any lease issued under  
23 this Act that authorizes exploration for, or development  
24 or production of, gas shall be considered to grant to the  
25 lessee a right of first refusal to engage in exploration for,  
26 and development and production of, helium on land that

1 is subject to the lease in accordance with regulations  
2 issued by the Secretary of the Interior.

3 “(c) FEE.—

4 “(1) IN GENERAL.—Notwithstanding any other  
5 law, the Secretary of the Interior shall collect a sin-  
6 gle \$5,000 permit processing fee per application  
7 from each applicant at the time the final decision is  
8 made whether to issue a permit to drill under a he-  
9 lium lease issued under this section.

10 “(2) NO FEE FOR RESUBMITTED APPLICA-  
11 TIONS.—The Secretary of the Interior shall not col-  
12 lect the fee described in paragraph (1) for any re-  
13 submitted application.

14 “(3) TREATMENT OF PERMIT PROCESSING  
15 FEE.—Of all fees collected under this subsection, 50  
16 percent shall be—

17 “(A) transferred to the field office for the  
18 area in which the fees are collected; and

19 “(B) used to process protests, leases, and  
20 permits under this Act, subject to appropria-  
21 tions.”.

22 (c) RIGHTS TO HELIUM UNDER LEASES UNDER  
23 MINERAL LEASING ACT FOR ACQUIRED LANDS.—The  
24 Mineral Leasing Act for Acquired Lands (30 U.S.C. 351  
25 et seq.) is amended by adding at the end the following:

1 **“SEC. 12. RIGHTS TO HELIUM.**

2 “Any lease issued under this Act that authorizes ex-  
3 ploration for, or development or production of, gas shall  
4 be considered to grant to the lessee a right of first refusal  
5 to engage in exploration for, and development and produc-  
6 tion of, helium on land that is subject to the lease in ac-  
7 cordance with regulations issued by the Secretary.”.

8 **SEC. 3. PROGRAMMATIC ENVIRONMENTAL IMPACT STATE-**  
9 **MENT.**

10 (a) **IN GENERAL.**—The Secretary of the Interior, act-  
11 ing through the Director of the Bureau of Land Manage-  
12 ment, shall prepare a programmatic environmental impact  
13 statement (referred to in this section as the “PEIS”)  
14 under the National Environmental Policy Act of 1969 (42  
15 U.S.C. 4321 et seq.) for an agencywide helium exploration  
16 and development program under the Mineral Leasing Act  
17 (30 U.S.C. 181 et seq.).

18 (b) **PROCESS.**—In developing the PEIS, the Sec-  
19 retary of the Interior take into consideration the Helium  
20 Act (50 U.S.C. 167 et seq.).